

ORDINANCE NO. 20060809-003

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3226 WEST SLAUGHTER LANE FROM MULTIFAMILY RESIDENCE MODERATE HIGH DENSITY-CONDITIONAL OVERLAY (MF-4-CO) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE MODERATE HIGH DENSITY-CONDITIONAL OVERLAY (MF-4-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from multifamily residence moderate high density-conditional overlay (MF-4-CO) combining district to multifamily residence moderate high density-conditional overlay combining district on the property described in Zoning Case No. C14-05-0150, on file at the Neighborhood Planning and Zoning Department, as follows:

A 7.250 acre tract of land, more or less, out of the Theodore Bissell Survey No. 18 in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 3226 West Slaughter Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. For a building or structure that exceeds a height of 45 feet from ground level the following applies:
 - a) a 646 foot wide building setback shall be provided and maintained along the north property line adjacent to a residential zoned district; and
 - b) All residential development shall comply with Austin Energy Green Building Program in effect August 9, 2006, for a minimum two-star rating.

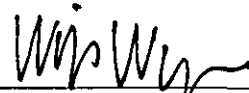
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence moderate-high density (MF-4) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on August 20, 2006.

PASSED AND APPROVED

August 9, 2006

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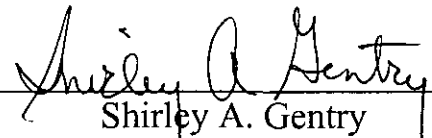
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

7.250 Acre (315,794 sq. ft.)
Theodore Bissell Survey No. 18
Travis County, Texas

EXHIBIT A

FN4075R(REB)
November 23, 2005
SAM, Inc. Job No. 25335-01

DESCRIPTION OF A 7.250 ACRE (315,794 SQ. FT.) TRACT OF LAND BEING SITUATED IN THE THEODORE BISSELL SURVEY NO. 18, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 30.00 ACRE TRACT OF LAND AS DESCRIBED IN THE DEED TO JOHN M. HARMON AND WIFE, JOYCE W. HARMON, AS RECORDED IN VOLUME 7589, PAGE 370 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.403 ACRE (148,224 SQ. FT.) TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 5/8-inch iron rod found for the most northerly corner of said 30.00 acre tract, same being the most easterly corner of a called 8.435 acre tract of land as described in a deed to Shady Hollow Retail Partners, Ltd. as described in Document No. 2003018644 of the Official Property Records of Travis County, Texas;

THENCE with the common line of said 30.00 acre tract and said 8.435 acre tract, S 27° 52' 08" W, a distance of 922.59 feet to a calculated point;

THENCE leaving said common line and crossing through the interior of said 30.00 acre tract, S 62° 07' 52" E, a distance of 43.13 feet to a calculated point for the northwest corner and the **POINT OF BEGINNING** of the tract described herein,

THENCE continuing through the interior of said 30.00 acre tract the following five (5) courses and distances:

- 1) N 80° 49' 11" E, a distance of 463.00 feet to a calculated point,
- 2) S 09° 10' 49" E, a distance of 514.67 feet to a calculated point, from which a 1/2-inch iron rod found for the most easterly corner of said 30.00 acre tract bears, S 62° 08' 00" E, a distance of 137.48 feet and N 27° 52' 00" E, a distance of 712.84 feet,
- 3) S 27° 52' 00" W, a distance of 250.58 feet to a calculated point,
- 4) S 80° 49' 11" W, a distance of 312.03 feet to a calculated point, and
- 5) N 09° 10' 49" W, a distance of 714.67 feet to the **POINT OF BEGINNING** and containing 7.250 acres (315,794 sq. ft.) of land more or less.

BEARING BASIS: Found two (2) 1/2" iron rods on the north right of way line of West Slaughter Lane and being the south line of the called 30.00 acre Harmon property shown hereon. Held called bearing of N 62° 10' 58" W (Volume 10753, Page 1651 R.P.R.T.C.TX.) and found actual distance to be 860.25'.

THE STATE OF TEXAS

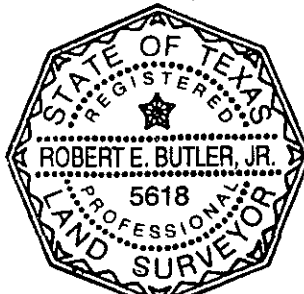
KNOW ALL MEN BY THESE PRESENTS:

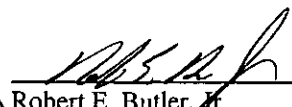
COUNTY OF TRAVIS

That I, Robert E. Butler, Jr., a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 23rd day of November 2005 A.D.

SURVEYING AND MAPPING, Inc.
5508 West Highway 290, Building B
Austin, Texas 78735



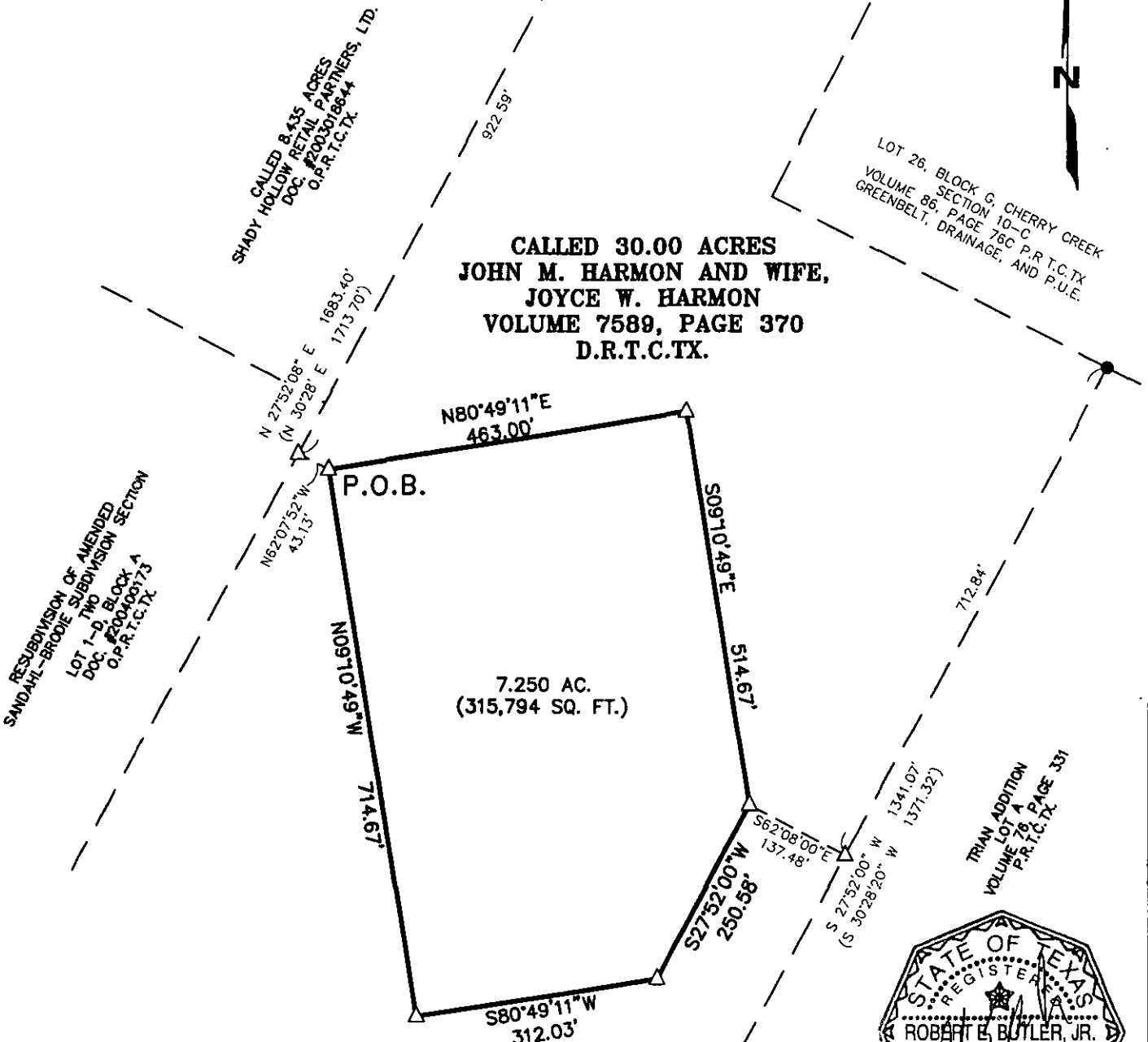

Robert E. Butler, Jr.
Registered Professional Land Surveyor
No. 5618 - State of Texas

LEGEND

- 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED
- 4" BRASS DISC FOUND
- 1/2" IRON ROD SET
- △ CALCULATED POINT
- () RECORD INFORMATION
- D.R.T.C.TX. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- P.R.T.C.TX. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

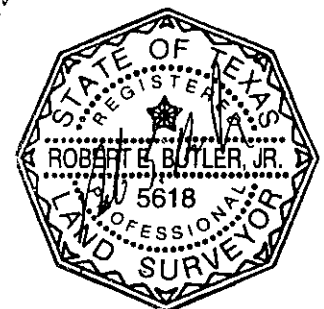
200' 100' 0' 200'

GRAPHIC SCALE
SCALE: 1" = 200 FEET
NOVEMBER 2005
THEODORE BISSELL SURVEY NO. 18
TRAVIS COUNTY, TEXAS



BEARING BASIS:

FOUND TWO (2) 1/2" IRON RODS ON THE NORTH RIGHT OF WAY LINE OF WEST SLAUGHTER LANE AND BEING THE SOUTH LINE OF THE CALLED 30.00 ACRE HARMON PROPERTY SHOWN HEREON. HELD CALLED BEARING OF N 62°10'58" W (VOLUME 10753, PAGE 1651 R.P.R.T.C.TX.) AND FOUND ACTUAL DISTANCE TO BE 860.25'.

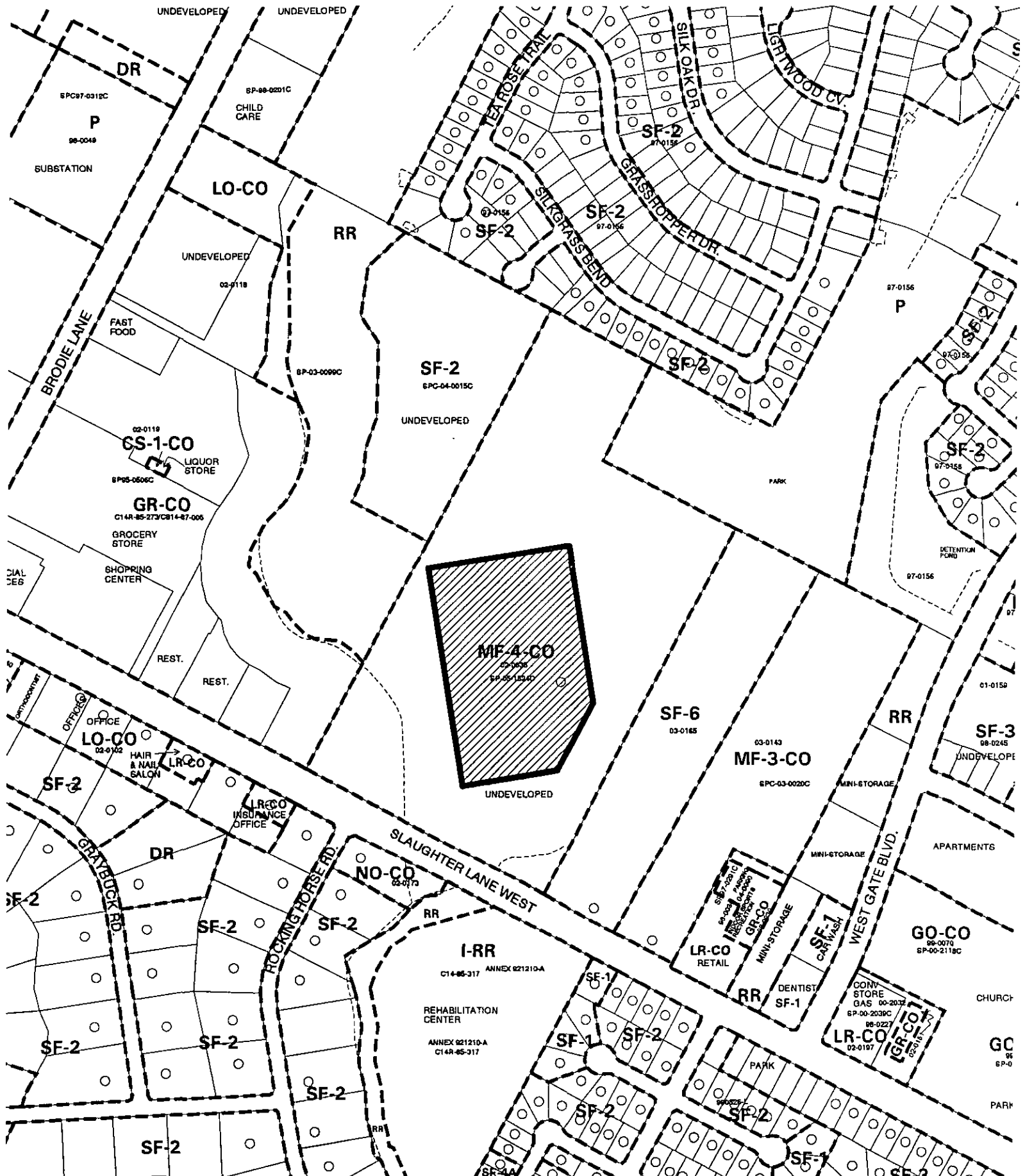


PROJECT: HARMON TRACT
JOB NUMBER: 25335-01
DATE: NOVEMBER 23, 2005
SURVEYOR: REB
PARTY CHIEF: L. GALVAN
FIELDBOOK: 4187
FIELDNOTE: FN4075R(REB)
TECHNICIAN: REB
DRAWING: 25335-01.dwg
SCALE: 1"=200'



5506 WEST HIGHWAY 290
BUILDING B
AUSTIN TEXAS, 78756
(512) 447-0078
FAX: (512) 526-5029
EMAIL: SA@SAMINC.AUS.COM

SKETCH TO
ACCOMPANY FIELD
NOTE No. 4075R
PAGE 2 OF 2



 1" = 400'	SUBJECT TRACT 	<h2 style="text-align: center;">ZONING EXHIBIT B</h2>		CITY GRID REFERENCE NUMBER D15
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-05-0150 ADDRESS: 3226 W SLAUGHTER LN SUBJECT AREA (acres): 7.250	DATE: 06-02 INTLS: SM	
	CASE MGR: W.WALSH			